

## **ARGUMENTS/REMARKS**

Applicants have amended Claim 1 to include the limitations of Claim 3, have amended Claims 4 and 7-11 to depend from Claim 1 instead of Claim 3 and have cancelled Claims 3 and 21. No new matter was added by these amendments. Claims 1, 2, 4-20 and 22 remain in the application. Reconsideration of this application is respectfully requested in view of the above amendments and these arguments and remarks.

The Examiner has rejected Claims 1-22 based on one or more of the following references: Kadanka (USPN 6,556,083), Wray (USPN 5,467,055) and Ishizaki (USPN 6,304,156). Applicants first submit that Claims 3 and 21 have been cancelled, thereby rendering moot the Examiner's rejections of these claims. Applicants further respectfully submit that neither of these references alone or in combination render the above set of claims unpatentable because neither of these references alone or in combination teach or suggest all of the claim limitations of Claims 1, 2, 4-20 and 22 as listed above. More specifically based on the detailed arguments below, neither of these references alone or in combination teach or suggest: the limitations included in each of the independent Claims 1 and 20 of at least one adjustable pole element in a feedback loop; the limitations included in independent Claim 18 of at least one adjustable pole element for implementing an adjustable pole in a forward path of a feedback loop; and the limitations included in independent Claims 13 and 22 of moving a pole in the loop frequency response yielding a change in the closed loop frequency response.

The Examiner has rejected Claims 1-4, 6, 9-10, 18-19, and 21 under 35 USC 102(e) as being clearly anticipated by Kadanka (USPN 6,556,083). The rejections of Claims 3 and 21 are rendered moot by Applicants cancellation of these claims. Applicants traverse the remaining rejections. Applicants submit that Kadanka fails to teach or suggest the limitations recited in amended Claim 1 and included by dependency in Claims 2, 4, 6 and 9-10 of "at least one adjustable pole element [in a feedback loop] . . . whereby the adjustable pole element [is] operable to change the characteristic bandwidth of the feedback loop" and also fails to teach or suggest the limitations recited in Claim 18 and included by dependency in Claim 19 of "at least one adjustable pole element for implementing an adjustable pole in the forward path of the feedback loop."

The Examiner argues that Kadanka discloses at least one adjustable pole element at Fig. 1, 106 and col. 3, lines 15-29. Applicants disagree. According to Kadanka “the energy storage element 106 introduces a low frequency dominant pole” (col. 3, lines 16-17), and this dominant pole is not adjustable but remains stationary (col. 6, lines 25-26). Also, from the abstract: “A pole (62) created by a frequency compensation element (14) maintains a *fixed* frequency within the active frequency range of the circuit (10) (emphasis added).”

Kadanka does describe a known “load pole” associated with a load impedance that “can lead to serious instability problems...aggravated by the fact that the frequency of the load pole can change during system operation based on a changing load impedance” 118 (col. 3, lines 19-29). This pole is also not an adjustable pole but instead creates an uncontrolled undesired variability of the load pole frequency and is not a new element provided by the Kadanka invention, but is a known occurrence in circuits that are subject to a variable load impedance (col. 1, lines 36-38). The Kadanka invention changes a variable resistance coupled to the energy storage element in order to make the movable zero move in response to the varying load (claims 1-4). In other words, the uncontrolled variability of the load pole frequency is the known *problem* that the Kadanka invention proposes to solve. However, our invention does not contain or describe a variable load pole, nor does it contain any claims or description pertaining to a load impedance.

For all of the above reasons Applicants submit that Claims 1 and 18 are now in a condition for allowance and that Claims 2, 4-12 and 19 that depend from and include all of the limitations of Claims 1 and 18 are likewise in a condition for allowance for all of the reasons as Claims 1 and 18.

The Examiner has rejected Claims 5, 7 and 12 under 35 USC 103(a) as being unpatentable over Kadanka as applied to claim 1 above, and further in view of Wray (USPN 5,467,055). Applicants traverse these rejections. Applicants submit that the combined teachings of Kadanka and Wray do not render Claims 5, 7 and 12 obvious because the combined teachings fail to teach or suggest all of the limitations included in these claims. As argued above, Kadanka fails to teach or suggest the limitations recited in Claim 1 and included by dependency in Claims 5, 7 and 12 of “at least one adjustable pole element [in a feedback loop] . . . whereby the adjustable pole element [is] operable to change the characteristic bandwidth of the feedback

loop.” Wray likewise fails to disclose these limitations. For these reasons, Applicants submit that Claims 5, 7 and 12 are in a condition for allowance.

The Examiner has rejected Claims 8 and 11 under 35 USC 103(a) as being unpatentable over Kadanka in view of Ishizaki (USPN 6,304,156). Applicants traverse these rejections. Applicants submit that the combined teachings of Kadanka and Ishizaki do not render Claims 8 and 11 obvious because the combined teachings fail to teach or suggest all of the limitations included in these claims. As argued above, Kadanka fails to teach or suggest the limitations recited in Claim 1 and included by dependency in Claims 8 and 11 of “at least one adjustable pole element [in a feedback loop] . . . whereby the adjustable pole element [is] operable to change the characteristic bandwidth of the feedback loop.” Ishizaki likewise fails to disclose these limitations. For these reasons, Applicants submit that Claims 8 and are in a condition for allowance.

The Examiner has rejected Claim 20 under 35 USC 103(a) as being unpatentable over Kadanka in view of Wray. Applicants traverse these rejections. Applicants submit that the combined teachings of Kadanka and Wray do not render Claim 20 obvious because the combined teachings fail to teach or suggest all of the limitations included in this claim. For the same reasons as is argued above with respect to Claim 1, applicants submit that Kadanka fails to teach or suggest the limitations recited in Claim 20 of “at least one adjustable pole element in the forward path of the feedback loop.” Wray likewise fails to disclose these limitations. For these reasons, Applicants submit that Claim 20 is in a condition for allowance.

The Examiner has rejected Claims 13-17 and 22 under 35 USC 103(a) as being unpatentable over Wray in view of Kadanka. Applicants traverse these rejections. Applicants submit that the combined teachings of Kadanka and Wray do not render Claims 13-17 and 22 obvious because the combined teachings fail to teach or suggest all of the limitations included in these claims. For the same reasons as is argued above with respect to Claim 1, applicants submit that Kadanka fails to teach or suggest the limitations recited in Claims 13 and 22 and included by dependency in Claims 14-17 of “moving a pole in the loop frequency response yielding a change in the closed loop frequency response” Wray likewise fails to disclose these limitations. For these reasons, Applicants submit that Claims 13-17 and 22 are in a condition for allowance.

The Applicants note the art cited, but not relied upon by the Examiner.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

Accordingly, this application is believed to be in proper form for allowance and an early notice of allowance is respectfully requested.

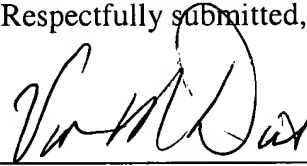
Please charge any fees associated herewith, including extension of time fees, to Deposit Account No. 502117, Motorola, Inc.

SEND CORRESPONDENCE TO:

Motorola, Inc.  
Law Department  
1303 E. Algonquin Road  
Law Department  
Schaumburg, IL 60196  
Customer Number: 22917

Respectfully submitted,

By: \_\_\_\_\_



**Valerie M. Davis**  
Attorney of Record  
Reg. No.: 50,203

Telephone: 847.576.6733  
Fax No.: 847.576.0721